United Nations A/63/888–S/2009/321

General Assembly
Security Council

Distr.: General
22 June 2009

Original: English

General Assembly
Sixty-third session
Agenda item 21
Question of Cyprus

Security Council
Sixty-fourth year

Letter dated 19 June 2009 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 18 June 2009, addressed to me in my capacity as President of the Security Council for the month of June, by Kemal Gökeri, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

09-37614 (E) 250609

Please recycle

Annex to the letter dated 19 June 2009 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

It has come to our attention that the representative of the Greek Cypriot administration of Southern Cyprus in New York addressed a letter to the President of the Security Council on 5 June 2009 (S/2009/296), in which he distorts the realities of Cyprus and slanders the Turkish side.

At the outset, I wish to note that Turkey's vote against Security Council resolution 1873 (2009) should come as no surprise to anyone concerned with the Cyprus question. Successive resolutions of the Council on Cyprus have not been accepted by the Turkish side on account of the references made in these resolutions to the "Government of Cyprus" which is, in fact, solely a Greek Cypriot administration. This erroneous approach to consider the Greek Cypriot side as the "Government of Cyprus", since Council resolution 186 (1964), constitutes the crux of the Cyprus question.

I would like to remind the Greek Cypriot representative that it was his own leader, the late Archbishop Makarios, who had confirmed that there exists no "Cypriot" nation (in the Greek Cypriot daily newspaper *Cyprus Mail* of 28 March 1963). I also would like to refresh the representative's memory on the fact that the Republic of Cyprus was founded in 1960 in accordance with international treaties by the Turkish Cypriot and Greek Cypriot peoples, in their respective capacities as two political equals, who entered into a partnership, setting up a joint State. Hence the provisions in the now-defunct 1960 Constitution for a Greek Cypriot President and Turkish Cypriot Vice-President, their separate veto rights and the separate majorities in the elections. The legitimacy of the 1960 Republic lay in the joint presence and effective participation of Turkish Cypriots and Greek Cypriots in all organs of the State. Neither of the parties had the right to rule the other or assume the right to be the Government of the other or the island as a whole in the absence of the other in all organs of the State and its Government.

The partnership Republic of Cyprus was destroyed by the Greek Cypriot partner's onslaught on the Turkish Cypriot partner in December 1963, when all Turkish Cypriot members in all the State organs were forcibly ejected from their positions and the basic articles of the Constitution were unilaterally changed. Efforts of the Turkish Cypriot members of the House of Representatives to return to the House and take up their seats, and the refusal of the Greek Cypriot side to comply, are fully recorded in the report of the then Secretary-General of the United Nations as follows:

> "The Turkish Cypriot members requested UNFICYP to extend its good offices to enable them to receive information about the time of meeting of the House, and to make arrangements for the Turkish Cypriot members to attend such meetings in safety. They specified that, if officially invited and notified about matters to be considered, as required by the constitution, they would be prepared to attend Parliament on all questions, not only on the two bills now pending ... Mr. Clerides stated that unless the Turkish Cypriot members accepted the conditions [stripping them of their constitutional rights as copartners] laid down by him, he found it pointless to supply to them copies of the pending bills ... He made it plain that, unless agreement was reached on

these matters, he would not permit the Turkish Cypriot members to attend the House ... He subsequently stated that in his opinion the Turkish Cypriot members had no legal standing any more in the House." (S/6569 and Corr.1)

In consequence, since December 1963 there has not been a joint central administration in the island, capable of representing the whole of Cyprus, either legally or factually. Each side has since ruled itself, while the Greek Cypriot side has continued to claim illegitimately that it is the "Government of Cyprus".

With regard to references by the Greek Cypriot representative to the "use of force" and "the establishment of an illegitimate regime", I would like to recall that the division of the island territorially, ethnically and administratively came about in 1963 as a direct consequence of the Greek Cypriot forceful attacks on the Turkish Cypriot people; hence the creation of the Green Line by the British contingent on the island and the arrival of the United Nations peacekeeping Force in Cyprus in 1964. It is also important to note that the Turkish intervention, which was carried out in accordance with Turkey's rights and obligations under the 1960 Treaty of Guarantee, did not come about until 1974 and was the direct result of the coup d'etat, carried out by the joint Greek-Greek Cypriot front, which aimed to annex the island to Greece and annihilate the Turkish Cypriot people in line with the notorious Akritas Plan. Therefore, contrary to the Greek Cypriot representative's claim, the only occupation in the island is the 46-year-long occupation of the seat of "Government of Cyprus" by the Greek Cypriot administration.

As for UNFICYP's presence on the island, although UNFICYP has played a valuable role, especially during 1963-1974, the fact that it could not prevent the tragic incidents that took place during this period is yet another proof that it is Turkey's presence that maintains peace and security on the island. However, there is a real problem with the mandate of the Force. Though UNFICYP has to function with the consent of the two sides on the island, in practice, relevant resolutions and mandates of UNFICYP are being formulated without the consent of the Turkish Cypriot side.

It should be borne in mind that it was the Turkish Cypriot people, with the support of Turkey, which overwhelmingly voted for the Annan plan. Therefore, it is ironic that the representative of an administration which campaigned for and achieved the rejection of the Annan plan, the embodiment of "a bicommunal, bizonal federation with political equality as set out in Security Council resolutions", blames Turkey "to be the reason why this problem remains unresolved". Instead of playing with words and claiming that the Turkish side desires a two-State solution, the Greek Cypriot side should come forth with the "mentality" change it advocates and honour the agreement of 23 May 2008 (S/2008/353, annex III) reached between the two leaders in the island which commits the two sides to "a Federal Government" with "a Turkish Cypriot Constituent State and a Greek Cypriot Constituent State, which will be of equal status". I would like to remind the Greek Cypriot representative that this agreement also refers to the establishment of a new "partnership". The leaders used this terminology after they both confirmed during the meeting that the 1960 arrangement was a partnership State and that the task before them now was to renew that partnership with a comprehensive settlement. Thus, the Greek Cypriot representative's claim that the 1960 Republic "was not a 'partnership State'", openly contradicts what his leader said on various occasions not only during the negotiations but before the public as well.

I would like to take this opportunity to state, once again, that the Turkish Cypriot side remains as committed as ever to finding a comprehensive settlement to the Cyprus issue on the basis of the established United Nations parameters and the United Nations body of work in 2009 under the United Nations Secretary-General's mission of good offices.

(*Signed*) M. Kemal **Gökeri**
Representative
Turkish Republic of Northern Cyprus